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SUBJECT: IRAQIYA COR MEMBER DISCUSSES MINISTRY WITHDRAWALS,
PM MALIKI, AND LEGISLATIVE ISSUES

REF: BAGHDAD 2629

Classified By: Political Counselor Matt Tueller for reasons 1.4 (b) and
(d)

¶1. (C) Summary: Iraqiya Party Secretary and Council of Representatives (CoR) member Maysoon al-Damluji told PolOff on September 13 the two ministers (Science and Technology, Human Rights) that refused go to along with Ayad Allawi's decision to pull his party from the Council of Ministers (CoM) are no longer considered members of the party. She raised concerns about a draft law called the "Organization of Justice and National Balance," which, based on her interpretation, will create more sectarianism by requiring an equal balance of Shia, Sunni, and Kurds in each ministry. This law surprisingly received its second reading on September 8 in the CoR even though there does not appear to be strong support for it. Damluji thought the testimony of Ambassador Crocker was too soft on PM Maliki and painted an overly optimistic picture of Iraq. She said Allawi was unhappy with the version of the de-Ba'athification reform law that came out of the leadership agreement. End Summary.

IRAQIYA MINISTRY WITHDRAWS

¶2. (C) CoR member Maysoon Damluji told PolOff that the two ministers who refused to withdraw from the Council of Ministers (CoM) in early August (Minister of Science and Technology Rahid Fahmi and Minister of Human Rights Wijdan Mikha'il) are no longer considered part of Iraqiya. Ayad Allawi made the decision for Iraqiya to withdraw because of the party's continued marginalization and PM Maliki's failure to pursue non-sectarian policies that foster reconciliation. However, this decision was not unanimously received (reftel) by Iraqiya's rank and file. The Minister of Communications, Muhammad Tawif, reportedly Ayad Allawi's cousin, continues to boycott the Government, but as of September 19 returned to Iraq and is in negotiations with the GOI regarding his future status. Post is planning to meet him in the upcoming week (septel).

LEGISLATION BALANCING REPRESENTATION OF SECTS IN MINISTRIES

¶3. (C) Ms. Damluji raised concerns regarding the Organization of Justice and National Balance draft law, which received its second reading on Thursday, September 8. The law calls for the establishment of an independent commission which would seek to ensure "justice and balance . . . in the way those (ethno-religious) groups of Iraq are represented" in state institutions. This commission would also investigate complaints, establish laws for appointing and hiring people, and review the makeup of the professional staff in various grades, among other tasks. It also has the power to recommend to the CoM that agencies be established or abolished in order to serve the national interest. The

commission would be subject to the supervision and oversight of the CoM.

¶14. (C) Maysoon complained that this draft law was not circulated in the CoR properly, adding that this law would create more sectarianism because it was unrealistic to have a balance of Kurds, Shias, and Sunnis in each ministry. She said employees should be appointed based on professional expertise and not on sectarian grounds. She referenced Article 105 of the Constitution which calls for establishing a public commission to guarantee that the rights of the regions and governorates are ensured. This article in the Constitution also calls for a commission that will include representatives of the federal government and regional governorates. She added that this law is a very bad attempt to accomplish the intent of this Article. (Note: Post received a copy of the translation of this law, based on the second reading, and will analyze the ramifications of this law further and track its progress in the CoR. It is expected to be referred to the committee on Civil Society Organizations for further review. End Note).

¶15. (C) Damluji said the bill was submitted by the Tawafiq party. However, it does not enjoy the party's unanimous support. In two separate meetings on September 17, both a senior Iraqi Islamic Party member and an independent Christian CoR member voiced many of the same criticisms as Damluji (septel).

AMBASSADOR CROCKER TESTIMONY

¶16. (C) Damluji said the Ambassador's testimony to Congress the week of September 10 painted a "better image than reality" to Congress. She thought the testimony was too soft on Maliki. She said she does not want to see U.S. troops reduced in Iraq.

DEBAATH LAW

¶17. (C) On an unrelated note, Damluji said neither former PM Ayad Allawi nor CoR Speaker Mahmoud Mashadani was happy with the version of the de-Ba'athification law agreed upon in the leadership meetings.

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